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Notice of Appeal

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Attorney Docket No.: JHU1400-1
		In re Application of: Harry C. Dietz
		Application No: 09/163,289
		Filed: September 29, 1998
		For: DELIVERY CONSTRUCT FOR ANTISENSE NUCLEIC ACIDS AND METHODS OF USE
		Group Art Unit: 1635
		Examiner: M. Schmidt

Applicants hereby appeal to the Board of Appeals from the decision mailed July 17, 2001 of the Examiner rejecting claims 1-15.

1.	<input checked="" type="checkbox"/>	Appeal Fee (37 C.F.R. § 1.17(b))						
		other than small entity						\$320.00
	<input checked="" type="checkbox"/>	small entity						\$160.00

2.		A petition and fee for an extension of time for reply to the rejection is attached.							
		Extension Fee (37 C.F.R. § 1.17(a))							
		other than small entity							
			\$110.00		\$400.00		\$920.00		\$1,440.00
		small entity							
			\$55.00		\$200.00		\$460.00		\$720.00

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3. The Commissioner is hereby authorized to charge a TOTAL FEE of \$215.00; which consists of \$160.00 for the Notice of Appeal fee and \$55.00 for the Terminal Disclaimer fee; and is authorized to charge any other fees associated with the filing submitted herewith, or credit any overpayments to Deposit Account No. 50-1355. A duplicate copy of this sheet is enclosed.

October 17, 2001
Date

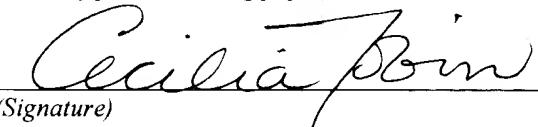
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Customer Number 28213

CERTIFICATION UNDER 37 C.F.R. § 1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date **October 17, 2001**, addressed to: Commissioner for Patents, Washington, D.C. 20231.

Cecilia Tobin
(Name of person mailing paper)

(Signature)

October 17, 2001
(Date)